

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE 650 FIFTH AVENUE AND : No. 08-Civ-10934 (KBF)
RELATED PROPERTIES : ECF Case
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THIS DOCUMENT RELATES TO:
ALL MEMBER AND RELATED CASES

**DECLARATION OF DONALD F. LUKE IN SUPPORT OF
ASSA CORP.'S AND ASSA LIMITED'S MOTIONS IN LIMINE
AND FOR OTHER RELIEF**

Donald F. Luke declares and states pursuant to 28 U.S.C. §1746 as follows:

1. I am a member of Jaffe & Asher LLP, counsel for Assa Corp. and Assa Limited (collectively, "Assa"), defendants/claimants in this action. I respectfully submit this declaration to submit true and correct copies of the Exhibits referenced in the accompanying Memorandum of Law in Support of Assa Corp.'s and Assa Limited's Motions in Limine and for other relief, dated August 21, 2013.

2. Attached hereto as Exhibit "A" is a true and correct copy of a letter dated July 1, 2013 from Special Assistant United States Attorney Anand Sithian.

3. Attached hereto as Exhibit "B" is a true and correct excerpt (pages 2-5, 238-241) from the transcript of the deposition of Seyed Mojtaba Hesami-Kiche, taken on June 17, 2013.

4. Attached hereto as Exhibit "C" is a true and correct excerpt (pages 58-65, 186-193) from the transcript of the deposition of Masoud Modarres, taken on June 27, 2013.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 21, 2013.

s/ Donald F. Luke

Donald F. Luke